

LMN:JDL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M10- 117

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UNITED STATES OF AMERICA

-against-

JASON CUEBAS

COMPLAINT AND AFFIDAVIT IN
SUPPORT OF APPLICATION
FOR ARREST WARRANT

(18 U.S.C. § 1951)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MARK MANKO, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

On or about December 22, 2009, within the Eastern District of New York and elsewhere, the defendant JASON CUEBAS, together with others, did obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, to wit: a 2010 Ferrari California automobile, by robbery.

(Title 18, United States Code, Section 1951).

The source of your deponent's information and the grounds for his belief are as follows:

1. I have been a Special Agent with the Drug Enforcement Administration for over thirteen years. During my tenure with the DEA, I have investigated various federal and state criminal violations including robberies.

2. Because this affidavit is being submitted for the purpose of establishing probable cause for the issuance of an arrest warrant, I have not included every detail of every aspect of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause. The information set forth below is based upon my experience and training as a Special Agent, my review of police reports, documents and other evidentiary items, and my discussions with other law enforcement agents. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part only.

3. On or about December 22, 2009, three individuals entered a residence at 1767 East 7th Street, Brooklyn, New York (the "East 7th Street Residence"), by force through the rear door. The robbers were armed with screwdrivers and a sharp cutting instrument. Once inside the residence, the robbers subdued four victims, two of whom were minors. While inside the residence, the robbers stole approximately \$5,000 cash and property valued at approximately \$250,000, including jewelry, electronics, autographed sports memorabilia, and clothing. After leaving the East 7th Street Residence, the robbers stole a black 2010 Ferrari California automobile, which belonged to one of the victims and was parked outside the residence.

4. The Ferrari automobile was manufactured in Italy and imported to the United States in interstate commerce.

5. During the robbery, one of the robbers cut himself and bled inside the residence.

6. The New York City Police Department ("NYPD") secured a sample of the blood that was left behind by one of the robbers at the residence and submitted it to the Office of the Chief Medical Examiner for DNA testing.

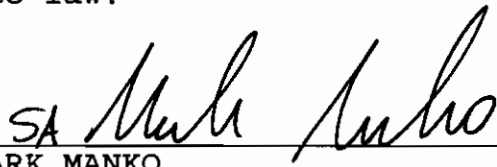
7. On February 1, 2010, the NYPD received notification that the DNA sample taken from the residence matched the DNA profile for the defendant JASON CUEBAS stored in the Combined DNA Index System ("CODIS"). Specifically, there is approximately a one-in-one-trillion probability that the blood sample from the East 7th Street Residence is not the blood of the defendant. CODIS is a nationwide database that contains DNA profiles of offenders.

8. The defendant JASON CUEBAS has a lengthy criminal history, including arrests for home invasion robbery, burglary, grand larceny of an automobile, grand larceny, and narcotics offenses.

9. At approximately 11:30 p.m. on February 2, 2010, NYPD officers arrested the defendant JASON CUEBAS at his residence in Brooklyn, New York.

10. After his arrest, the defendant JASON CUEBAS was advised of his Miranda rights and signed a form waiving his rights. The defendant chose to make statements and, in sum and substance, confessed to the home invasion robbery.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant JASON CUEBAS so that he may be dealt with according to law.



MARK MANKO
Special Agent
Drug Enforcement Administration

Sworn to:
3rd day of

UNITED STATES
EASTERN DISTRICT OF NEW YORK

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